

**BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH**

<p>IN THE MATTER OF THE REQUEST FOR AGENCY ACTION OF NEWFIELD PRODUCTION COMPANY FOR AN ORDER POOLING ALL INTERESTS IN THREE DRILLING UNITS ESTABLISHED BY THE BOARD'S ORDER ENTERED IN CAUSE NO. 139-90 IN SECTION 3, TOWNSHIP 3 SOUTH, RANGE 1 WEST, U.S.M., DUCHESNE AND UINTAH COUNTIES, UTAH, AND SECTIONS 16 AND 36, TOWNSHIP 3 SOUTH, RANGE 3 WEST, U.S.M., DUCHESNE COUNTY, UTAH.</p>	<p style="text-align:center">NOTICE OF HEARING</p> <p style="text-align:center">Docket No. 2013-007 Cause No. 139-102</p>
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THE STATE OF UTAH TO ALL PERSONS INTERESTED IN THE FOLLOWING MATTER.

Notice is hereby given that the Board of Oil, Gas and Mining ("Board"), State of Utah, pursuant to Utah Administrative Code R641-113-100, has designated a hearing examiner to conduct a hearing on WEDNESDAY, MARCH 13, 2013, at 1:30 PM, or as soon thereafter as possible, in Room 112, Department of Natural Resources, 1594 West North Temple, Salt Lake City, Utah.

The hearing will be conducted as a formal administrative adjudication in accordance with the rules of the Board as set forth in Utah Administrative Code R641 et seq. and as provided for in Utah Code Ann. § 40-6-1 et seq. and Utah Code Ann. § 63G-4-101 through 601.

The purpose of the hearing will be for the hearing examiner to receive testimony and evidence regarding a Request for Agency Action to:

1. Pool all of the interests within three of the sectional drilling units established by the Board's Order entered in Cause No. 139-90, such drilling units comprising all of Section 3, Township 3 South, Range 1 West, U.S.M., Duchesne and Uintah Counties, Utah, and Sections 16 and 36, Township 3 South, Range 3 West, U.S.M., Duchesne County, Utah (collectively, the "Subject Lands"); and
2. Pool all of the interests in each Drilling Unit within the Subject Lands as requested herein, including that the pooling be made retroactive to the date of first production for the first applicable Subject Well completed as a producing well in a Drilling Unit, and incorporating the provisions as required by and in accordance with Utah Code Ann. § 40-6-6.5 including:

- a. That operations incident to the drilling of a designated Drilling Unit well upon any part of a Drilling Unit covered by such order shall be deemed for all purposes to be operations upon each separately owned tract in the Drilling Unit.
 - b. That the portion of production allocated or applicable to a separately owned tract within any Drilling Unit covered by such order shall, when produced, be deemed for all purposes to have been produced from that tract by a well drilled on it.
 - c. That such order provide for the payment of just and reasonable costs incurred in the drilling and operation of the designated Drilling Unit well or wells, including, but not limited to:
 - (i) the costs of drilling, completing, equipping, producing, gathering, transporting, processing, marketing, and storage facilities;
 - (ii) reasonable charges for the administration and supervision of operations; and
 - (iii) other costs customarily incurred in the industry.
 - d. That such order may impose a non-consent penalty between 150% to 300% of any non-consenting owner's share of certain costs associated with drilling such Drilling Unit wells.
3. Providing for such other and further relief as may be just and equitable under the circumstances.

The examiner's proposed findings of fact and conclusions of law will be filed with the Board of Oil, Gas, and Mining and presented at the next regularly scheduled Board hearing which has been set for WEDNESDAY, MARCH 27, 2013, at 9:00 AM, or as soon thereafter as possible, in the auditorium of the Department of Natural Resources, 1594 West North Temple, Salt Lake City, Utah.

Objections to the Request for Agency Action must be filed with the Secretary of the Board at the address listed below no later than March 11, 2013. A party must file a timely written objection or other response in order to participate as a party at the Board hearing.


Natural persons may appear and represent themselves before the hearing examiner. All other representation by parties before the hearing examiner will be by attorneys licensed to practice law in the State of Utah, or attorneys licensed to practice law in another jurisdiction which meet the rules of the Utah State Bar for practicing law before the Utah Courts.

Persons interested in this matter may participate pursuant to the procedural rules of the Board. The Request for Agency Action, and any subsequent pleadings, may be inspected at the office of the undersigned.

Pursuant to the Americans with Disabilities Act, persons requiring auxiliary communicative aids and services to enable them to participate in this hearing should call Julie Ann Carter at (801) 538-5277, at least three working days prior to the hearing date.

DATED this 14th day of February, 2013.

STATE OF UTAH
BOARD OF OIL, GAS AND MINING
James T. Jensen, Chairman



/s/ Julie Ann Carter
Board Secretary
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84116
(801) 538-5277

CERTIFICATE OF MAILING

I hereby certify that on this 14th day of February, 2013, I caused a true and correct copy of the foregoing **NOTICE OF HEARING** to be served via U.S. Mail, properly addressed with postage prepaid, upon each of the following:

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[Address updated 2/13/2013]

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[Address updated 2/13/2013]

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A handwritten signature in cursive script, reading "Julie Ann Carter", is written over a horizontal line.

CERTIFICATE OF PUBLISHED NOTICE

I hereby certify that I caused a true and correct copy of the foregoing NOTICE OF HEARING for Docket No. 2013-007, Cause No. 139-102 to be PUBLISHED in the following newspapers on the following days:

February 24, 2013:

The Salt Lake Tribune and Deseret Morning News, newspapers of general circulation in Salt Lake City and County.

February 19, 2013:

Uintah Basin Standard, a newspaper of general circulation in Duchesne and Uintah Counties.

February 20, 2013:

Vernal Express, a newspaper of general circulation in Daggett and Uintah Counties.

